

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-1(b)

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-and-

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*Attorneys for S3 RE Bergenline Funding, LLC
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In re:

NATIONAL REALTY INVESTMENT
ADVISORS, LLC, *et al.*¹,

Debtors.

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF NATIONAL REALTY

Chapter 11

Case No. 22-14539-JKS

Jointly Administered

Adv. Pro. No. 23-01169-JKS

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://omniagentsolutions.com/NRIA>. The location of the Debtors' service address is: 1 Harmon Plaza, Floor 9, Secaucus, New Jersey 07094.

INVESTMENT ADVISORS, LLC, et al.,
Plaintiff,
v.
S3 RE BERGENLINE FUNDING LLC and
S3 RE 1300 MANHATTAN FUNDING LLC,
Defendants.

Hearing Date: October 3, 2023 at 10:00 a.m ET

**S3 RE BERGENLINE FUNDING, LLC’S AND S3 RE 1300 MANHATTAN
FUNDING LLC’S NOTICE OF MOTION TO DISMISS COMPLAINT**

PLEASE TAKE NOTICE that on October 3, 2023, at 10:00 a.m. (ET) or as soon thereafter as counsel may be heard, Defendants S3 RE Bergenline Funding, LLC (“S3 Bergenline”) and S3 RE 1300 Manhattan Funding LLC (“S3 Manhattan”) (together, the “S3 Lenders”), by and through its counsel, shall move before the Honorable John K. Sherwood, United States Bankruptcy Judge for the United States Bankruptcy Court for the District of New Jersey, in Courtroom 3D, 50 Walnut Street, 3rd Floor, Newark, New Jersey 07102, for entry of an Order dismissing the Complaint (Dkt. No. 1) filed by the Official Committee of Unsecured Creditors (the “Committee”).

PLEASE TAKE FURTHER NOTICE that the S3 Lenders shall rely upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, and other filings in the above-captioned bankruptcy cases in support of the requested relief. Oral argument is requested in the event an objection is timely filed.

PLEASE TAKE FURTHER NOTICE that any objections to the relief requested in the Motion must be filed with the Clerk of the Court, together with proof of service thereof on required parties, on or before September 26, 2023. Any objection to the relief requested in the Motion must be in writing, comply with the Federal Rules of Bankruptcy Procedure and the Court’s Local Bankruptcy Rules, and state with particularity the legal and factual basis for the objection. Unless

an objection is timely filed and served appropriately, it may not be considered by the Court. In the event no objections are filed, the relief requested in the Motion may be granted without a hearing.

Dated: September 5, 2023
New York, New York

SEYFARTH SHAW LLP

By: /s/ James S. Yu

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*Attorneys for S3 RE Bergenline Funding, LLC and
S3 RE 1300 Manhattan Funding LLC*

Dated: September 5, 2023
Wilmington, Delaware

MCCARTER & ENGLISH LLP

By: /s/ Kate Roggio Buck

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